

**Amendment to the Drawings**

Please replace the enclosed drawing Sheet 18/21 in the Application.

**Remarks**

Claims 117, 119-122, 127-131, 135-137, 139-140, 163-166, 168-172, 174-177, 184-203, 205-206, 209, and 211-214 are pending in the Application.

Claims 117, 119-122, 127, 129, 131, 135-137, 139, 163-164, 168, 170-172, 174-177, 184, 186, 188-193, 196-200, 202, 205-206, 209, and 211-214 are rejected.

Claims 128, 130, 140, 165-166, 169, 185, 187, 194-195, 201, and 203 are objected to.

Claims 117, 130-131, 136, 164, 166, 171, 185, and 194 are amended herein.

Claims 127-128, 131, 139-140, 163, 165, 168-169, 186-187, 196-200, and 213 are cancelled herein without prejudice.

**I. OBJECTED TO CLAIMS**

The Examiner has objected to Claims 128, 130, 140, 165-166, 169, 185, 187, 194-195, 201, and 203. Final Office Action, at 3. Based upon the Final Office Action, Applicant understands that these claims were objected to because they were claims that depended from rejected claims and that these claims would be allowable if Applicant rewrote them in independent form, including all the intervening limitations of the claims from which they depend.

As to prior Claim 128, which depended directly from Claim 117, Applicant has incorporated the additional elements of prior Claim 128 into prior Claim 117; hence amended Claim 117 is now prior Claim 128 re-written in independent form. Applicant has accordingly cancelled prior Claim 128, as it would now be of identical scope to amended Claim 117.

As to prior Claim 130, which depended directly from prior Claim 117, Applicant has re-written Claim 130 in independent form to include all the elements of prior Claim 117.

As to prior Claim 140, which depended directly from Claim 131, Applicant has incorporated the additional elements of prior Claim 128 into prior Claim 131; hence amended Claim 131 is now prior Claim 140 re-written in independent form. Applicant has accordingly

cancelled prior Claim 140, as it would now be of identical scope to amended Claim 131.

As to prior Claim 165, Applicant has cancelled this claim.

As to prior Claim 166, which had depended from prior Claim 128, Applicant has amended it to depend from amended Claim 117, which, as noted above, is prior Claim 128 re-written in independent form.

As to prior Claim 169, which depended directly from Claim 136, Applicant has incorporated the additional elements of prior Claim 169 into prior Claim 136; hence amended Claim 136 is now prior Claim 169 re-written in independent form. Applicant has accordingly cancelled prior Claim 169, as it would now be of identical scope to amended Claim 136.

As to prior Claim 185, which depended directly from prior Claim 171, Applicant has re-written Claim 185 in independent form to include all the elements of prior Claim 185. Applicant has further amended this claim to utilize more traditional *Markush* element language.

As to prior Claim 187, which depended directly from Claim 171, Applicant has incorporated the additional elements of prior Claim 187 into prior Claim 171; hence amended Claim 171 is now prior Claim 187 re-written in independent form. Applicant has accordingly cancelled prior Claim 187, as it would now be of identical scope to amended Claim 171.

As to prior Claim 194, which depends from prior Claim 191, which in turn depends from prior Claim 190, which in turn depends from prior Claim 171, Applicant has re-written Claim 194 in independent form to include all the elements of prior Claims 171, 190, and 191.

As to prior Claim 195, this Claim depended from prior Claim 194. As noted above, prior Claim 194 has now been re-written in independent form; hence this Claim no longer depends from a rejected claim.

As to prior Claims 201 and 203, these Claims were previously presented in independent form and thus were not re-written. Applicant believes it may have been an oversight that these claims were already in independent form when these claims were objected to.

Applicant notes that by these amendments to the claims, all of the independent claims in the Application (Claims 117, 130, 131, 136, 171, 185, 194, 201, and 203) are now claims that the Examiner objected to in the Final Office Action, which have been written in independent form, including all the intervening limitations of the claims from which they had previously depended.

Therefore, as a result of the foregoing, Applicant respectfully requests that the Examiner withdraw his objections to the claims.

## II. REJECTIONS UNDER 35 U.S.C. §§ 102(b) and 103(a)

Examiner has rejected 117, 119-122, 127, 129, 131, 135-137, 139, 163-164, 168, 170-172, 174-177, 184, 186, 188-193, 196-200, 202, 205-206, 209, and 211-214 based upon the following:

- (A) Claims 171-172 and 174 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ajayan *et al.*, “Aligned Carbon Nanotube Arrays Formed by Cutting a Polymer Resin-Nanotube Composite,” *Science* **265**, August 26, 1994, pp 1212-1214 (“Ajayan”). Final Office Action, at 2.
- (B) Claims 117, 119-120, 127, 131, 135, 139, 170-172, 174, 184, 186, 188-189, 200, 202, and 214 are rejected under 35 U.S.C. § 103(a) as being unpatentable as obvious over Ajayan. Final Office Action, at 2.
- (C) Claims 121-122, 129, 136-137, 163-164, 168, 175-177, 196-199, 205-206, 209 and 211-213 are rejected as being unpatentable under 35 U.S.C. § 103(a) as obvious over Ajayan and further in view of Applicant’s admissions as to the scope and content of the prior art. Final Office Action, at 2.
- (D) Claims 190-193 are rejected as being unpatentable under 35 U.S.C. § 103(a) as obvious over Ajayan and further in view of Stephan *et al.*, “Doping Graphitic and Carbon Nanotube Structures with Boron and Nitrogen,” *Science*, Vol. 266, Dec. 9, 1994, pp. 1683-1685 (“Stephan”). Final Office Action, at 3.

Applicant respectfully traverses all of these rejections.

However to facilitate prosecution, Applicant has cancelled Claims 127, 139, 163, 168, 186, 196-200, and 213, which renders the rejections of those claims moot. As to the remainder of the rejected claims, Applicant’s amendments to the claims (discussed above in Section I) likewise render these rejections moot.

As to amended Claim 117, this claim is now prior objected to Claim 128 re-written in

independent form, including all the intervening limitations of the claims from which they had previously depended. Hence, as the Examiner has indicated such claim is allowable in view of the Examiner's rejections. Final Office Action, at 3.

As to Claims 119-122, 129, and 170, these claims depend (directly or indirectly) from Claim 117, which is now in allowable form.

As to amended Claim 131, this Claims is now prior objected to Claim 140 re-written in independent form, including all the intervening limitations of the claims from which they had previously depended. Hence, as the Examiner has indicated such claim is allowable in view of the Examiner's rejections. Final Office Action, at 3.

As to Claim 135, this claim depends from Claim 131, which is now in allowable form.

As to amended Claim 136, this claim is now prior objected to Claim 169 re-written in independent form, including all the intervening limitations of the claims from which they had previously depended. Hence, as the Examiner has indicated such claim is allowable in view of the Examiner's rejections. Final Office Action, at 3.

As to Claim 137, this claim depends from Claim 136, which is now in allowable form.

As to Claims 135 and 214, these claims depend (directly or indirectly) from Claim 131, which is now in allowable form.

As to Claim 164, this claim depends from Claim 130, which is now in allowable form.

As to amended Claim 171, this Claims is now prior objected to Claim 187 re-written in independent form, including all the intervening limitations of the claims from which they had previously depended. Hence, as the Examiner has indicated such claim is allowable in view of the Examiner's rejections. Final Office Action, at 3.

As to Claims 172, 174-177, 184, and 188-193, these claims depend (directly or indirectly) from Claim 117, which is now in allowable form.

As to Claim 202, this claim depends from Claim 201, which is in allowable form.

As to Claims 205-206, 209, and 211-212, these claims depend (directly or indirectly) from Claim 203, which is in allowable form.

Accordingly, Applicant respectfully requests that the Examiner withdraw his rejections to the claims.

**III. AMENDMENTS TO THE SPECIFICATION**

Applicant filed the present Application on December 28, 2001 as a divisional of United States Patent Application Serial No. 09/380,545, filed on December 22, 1999 (“the Parent ‘545 Patent Application”). The Parent ‘545 Patent Application issued as United States Patent No. 6,683,783 on January 27, 2004 (“the ‘783 Patent”). Applicant has amended the first paragraph of the inserted RELATED APPLICATIONS section to reflect the issuance of the ‘783 Patent.

Applicant has also amended the BRIEF DESCRIPTION OF DRAWINGS with regard to FIGS. 18C and 18D, which amendment now properly references these figures. Such amendment is consistent with the disclosure in the specification, such as appearing on page 80, *ll.* 12-15 of the Application.

No new matter is added by these amendments to the specification.

**IV. AMENDMENTS TO THE DRAWINGS**

On December 28, 2001 (*i.e.*, the filing date of the present Application), Applicant concurrently filed United States Patent Application Serial No. 10/033,075 (“the ‘075 Patent Application”), which, like the present Application, is a divisional of the Parent ‘545 Patent Application.

In the ‘075 Patent Application, Applicant was requested by the USPTO to furnish a substitute drawing for FIGS. 17A and 17B appearing on Sheet 18/21 of the Application. As Applicant surmises that a similar request may be made in the present Application, to further facilitate prosecution, Applicant has herewith submitted for substitution the same substitute Sheet 18/21 that Applicant submitted and the USPTO accepted for the ‘075 Patent Application. Applicant has attached this substitute Sheet 18/21 herewith at Attachment A.

No new matter is added by this amendment to the drawings.

**V. CONCLUSION**

As a result of the foregoing, it is asserted by Applicant that the Claims in the Application are now in a condition for allowance, and respectfully requests allowance of such Claims.

Applicant respectfully requests that the Examiner call Applicant’s attorney at the below

**11321-P012USD9**


**PATENT**

listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,

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